

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEAN A. MANN and CONNIE J.
MANN,

Plaintiffs,

v.

CENTRAL MORTGAGE
COMPANY, its successors in interest
and/or assigns; UNITED STATES
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,
FEDERAL HOUSING
ADMINISTRATION UNITED
STATES OF AMERICA, FARM
SERVICE AGENCY FKA FARMERS
HOME ADMINISTRATION;
HORIZON CREDIT UNION; and any
persons or parties claiming to have any
right, title, estate, lien or complaint.

Defendants.

NO: 14-CV-0050-TOR

ORDER OF DISMISSAL

Federal Rule of Civil Procedure 4(m) provides that a complaint must be
served upon a defendant within 120 days of filing. Rule 4(m) also governs the

1 procedure that a district court must follow in the event that service is not
2 completed within 120 days:

3 If a defendant is not served within 120 days after the complaint is filed, the
4 court—on motion or on its own after notice to the plaintiff—must dismiss
5 the action without prejudice against that defendant or order that service be
made within a specified time. But if the plaintiff shows good cause for the
failure, the court must extend the time for service for an appropriate period.

6 Fed. R. Civ. P. 4(m).

7 Plaintiff filed a Complaint in this case on February 14, 2014. ECF No. 1.
8 Summonses were issued to all Defendants (ECF No. 2); however, there has been
9 no further activity in this case. On September 9, 2014, the Court issued an Order
10 for Plaintiff to show cause as to why this matter should not be dismissed. ECF No.
11 3. Plaintiff has submitted no response to the Court's Order to Show Cause and has
12 not shown that Defendants were served within 120 days of the filing of the
13 Complaint.

14 **ACCORDINGLY, IT IS HEREBY ORDERED:**

15 All claims and causes of action in this matter are **DISMISSED** without
16 prejudice. The District Court Executive is hereby directed to enter this Order,
17 furnish a copy to Plaintiffs at their last known address, and **CLOSE** the file.

18 **DATED** October 15, 2014.



A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge